

IN THE SUPREME COURT OF THE STATE OF NEVADA

ASSET PROTECTION & RECOVERIES,  
LLC, A NEVADA LIMITED LIABILITY  
COMPANY,  
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE, AND THE HONORABLE  
ROBERT H. PERRY, DISTRICT JUDGE,  
AS SUCCESSOR TO THE HONORABLE  
PATRICK FLANAGAN, DISTRICT  
JUDGE,

Respondents,

and

DAVID N. CHANDLER, P.C., A  
CALIFORNIA PROFESSIONAL  
CORPORATION,  
Real Party in Interest.

No. 48953

FILED

APR 09 2007

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richard*  
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order denying petitioner's motion to dismiss the underlying case.

A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station,<sup>1</sup> or to control a manifest abuse of discretion.<sup>2</sup> Mandamus is an

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<sup>1</sup>See NRS 34.160.

<sup>2</sup>See Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).

extraordinary remedy, and it is within this court's discretion to determine if a petition will be considered.<sup>3</sup> Having reviewed this petition, we conclude that our intervention by way of extraordinary relief is not warranted. Accordingly, we deny the petition.<sup>4</sup>

It is so ORDERED.<sup>5</sup>

Parraguirre, J.  
Parraguirre

Hardesty, J.  
Hardesty

Douglas, J.  
Douglas

cc: Hon. Robert H. Perry, District Judge  
Law Office of William M. O'Mara  
Hoy & Hoy  
Washoe District Court Clerk

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<sup>3</sup>See Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

<sup>4</sup>See NRAP 21(b); Smith, 107 Nev. 674, 818 P.2d 849.

<sup>5</sup>In light of this order, we deny as moot petitioner's request for a stay.